

do not direct closure at this stage. But we direct that ash in powder form having carbon content of 12% will be provided to the applicants in furtherance to the Notification and would not find exemption under the Judgment of the Tribunal dated 10th December, 2015.

With the above directions all these applications are disposed of.

We direct the power plant unit to file Status report by 15th May, 2016. We make it clear that if the directions of the Tribunal are not carried out in terms of the Judgment dated 10th December, 2015, the Tribunal would be compelled to pass appropriate orders including prohibitory orders in accordance with law.

With the above orders the Original Application No. 140 of 2016, Original Application No. 141 of 2016 stand disposed of.

M.A. No. 158 of 2016

This application is for making certain corrections of typographical error in the Judgment dated 10th December, 2015. We have heard the Learned Counsel appearing for parties. Respondents have no objections to the passing of the following order:-

1. The 20% mentioned in para 1 of page 15 of the Judgment would read as 80%.
2. On page 42 the rate of the coal as specified at Rs. 800/- per MT, would be read as Rs. 8,000/- per MT.

As far as the 3rd issue is concerned, according to the Applicant in the Original Application and the M.P. State

Pollution Control Board 35 Crore have been collected by the company as disclosed in the affidavit filed before the High Court in the year 2012 and further amount have been collected thereafter and therefore they have collected Rs. 60 Crore till the date of passing of the Judgement dated 10th December, 2015. According to the Learned Counsel appearing for the Applicant in MA, it should not be 85 Crore but it should be Rs. 35 Crore.

Having heard the Learned Counsel appearing for parties we direct the Applicant to file separate application with affidavit supporting the account to show what was exact amount received by them for the sale of coal extracted from the ash till the date of judgement. The amount would be corrected thereupon. Applicant had already recovered Rs. 35 Crore in 2012. Affidavit of the Managing Director of the Company shall be filed as to what amount was collected from the year 2012 to 2015.

Affidavit should be filed within two weeks from today and the figure which is in the affidavit shall be the figures as stated in the Judgment.

This application stands disposed of.

Original Application No. 142 of 2016

Liberty is granted to the applicant to file an independent petition in accordance with law if he so desired. If he proposes to challenge to contents to sale of ash by NEPA Ltd, the same would be filed in accordance with law dealing with the same.

.....,CP
(Swatanter Kumar)

		<p>.....,JM (M.S. Nambiar)</p> <p>.....,EM (Dr. D.K. Agrawal)</p> <p>.....,EM (Prof. A.R. Yousuf)</p>
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